

**FINDING OF NO SIGNIFICANT IMPACT
AND DECISION RECORD
EA-NM-510-06-31**

DECISION: It is my decision to authorize the Sundry Notices And reports On Wells, for the Lazarus Federal #1 gas well on lease buried pipeline connection, submitted by Bold Energy, LP. The provisions for the approval of the APD will include the attachment of the Roswell Field Office requirements as defined in the following exhibits; **Exhibit A** - Location Map, **Exhibit B - BURIED PIPELINE STIPULATIONS FOR THE ROSWELL FIELD OFFICE, BLM**, and any special mitigating measures developed in the environmental assessment.

When the well is abandoned, I recommend that reclamation requirements be attached to the well abandonment, with additional requirements imperative for the complete reclamation of the disturbed areas, including buried pipeline reclamation requirements. These actions are subject to 43 CFR 3160 regulations for Onshore Oil and Gas operations on federal lease NM-0115465-A.

Authority for these actions is the Mineral Leasing Act of February 25, 1920, as amended, and Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

These actions will affect public land described as: *New Mexico Principal Meridian*

**On Lease Pipeline - Section 25; NW¹/₄NW¹/₄SW¹/₄,
T. 15 S., R. 27E.**

FINDING OF NO SIGNIFICANT IMPACT: Based on the analysis of potential environmental impacts contained in the attached environmental assessment, I have determined that impacts resulting from the proposed actions are not expected to be significant and an environmental impact statement is not required.

RATIONALE FOR DECISION: The proposed actions would not result in any undue or unnecessary environmental degradation. Portions of the subject land and adjacent land have been used for similar purposes and all present and potential uses and users have been considered.

COMPLIANCE AND MONITORING: The construction phase of the proposed actions and subsequent operational phases will be monitored as per regulations.

/s/Larry D. Bray

12/21/05

**Larry D. Bray, Assistant Field Manager,
Lands and Minerals**

Date

ENVIRONMENTAL ASSESSMENT

EA# NM-510-06-31

WELL NAME & NO.: Lazarus Federal #1 – On Lease Pipeline
BLM Serial #: NM-0115465-A

Section 25, T. 15 S., R. 27 E., NMPM,
1990' FSL & 660' FWL, Unit Letter L

Chaves County, New Mexico

OPERATOR: Bold Energy, LP

ACTION: Sundry Notices And Reports On Wells

SURFACE/MINERAL ESTATE: Federal Minerals/Surface

I. Introduction

A. Need for the Proposed Action:

Bold Energy, LP submitted a Sundry Notice And Report On Wells application for an on-lease buried pipeline on 10/27/05. Bold Energy, LP proposes to construct, operate, and maintain, a buried 4 inch natural gas polyethylene low pressure (30 psi) pipeline. The pipeline is approximately 547.1 feet (0.1 mile) in length and will parallel the new access road route. The pipeline will be buried on the north side of the new road. Related appurtenance would consist of a meter station, gas separator, valves, and cathodic protection.

This Sundry Notice And Report On Wells application also changes the new access road route that is different from the approved APD road route.

The proposed action would consist of connecting the Lazarus Federal #1 well to an existing pipeline (R/W No. NM-NM-43190)

B. Conformance with Land Use Plan:

Oil and gas lease development is in conformance with the Roswell Approved Resource Management Plan and Record of Decision, October 1997.

A Sundry Notice was utilized as an application for an on-lease buried pipeline proposed action and the proposal is also in conformance with RFO-RMP.

C. Relationship to Statutes, Regulations, or other Plans:

The proposed action does not conflict with any known State or local planning, ordinance or zoning.

II. Proposed Action and Alternatives

A. Background of the proposed action:

The access road provides an existing corridor for the on lease buried pipeline construction and the pipeline would be buried on the north side of the road.

A review of the Master Title Plat and Oil & Gas Plats reveal the proposed pipeline will be located entirely on lease; therefore a right-of-way will not be required.

B. Proposed Action:

Bold Energy, LP propose to construct a buried pipeline to connect the Lazarus Federal #1 to an existing pipeline.

The proposed action would include:

1. **Sundry Notices and Reports on Wells;** was utilized for the on-lease buried pipeline proposal and for the related appurtenance. The pipeline construction would include; laying the pipeline 25 feet from the centerline of the access road, using the outer edge of the new access road as a corridor or route, constructing a trench within a maximum disturbance limit of 20 feet, and digging a trench approximately 36 inches deep for the purpose of burying the pipeline. The pipeline would be buried 36 inches deep along side the access road route and 48 inches deep under all road crossings. A trencher is a kind of ditch digging machine that would be used to construct the pipeline trench. The construction of the buried pipeline would disturb approximately 0.3 acre.
2. Construction activities would be conducted outside of the period of March 15th through June 15th to protect lesser prairie chicken habitat.

B. Alternatives:

1. Relocate the Proposed Action:

The proposed buried pipeline would parallel the new/existing access road route. The pipeline would be confined within the parameters of the archaeological survey that was done on the new road until it reaches the tie-in point. Placing the pipeline along side the access road would reduce soil disturbance by minimizing width requirements and maximizing multiple occupancy as directed in the RFO-RMP. The on-lease pipeline route is consistent with the policy of utilizing an approved corridor(s) that would be acceptable for pipeline construction, such as; new and/or existing road routes, two-track roads, and other previously disturbed pipeline routes, etc.. There are no alternate routes which would have substantially less impacts than or any clear advantages over the proposed action. Therefore the alternative of changing the pipeline route is not analyzed any further in this EA.

2. No Action:

Under this alternative, the Sundry Notices And Reports On Wells to construct an on-lease buried pipeline would be rejected. None of the environmental impacts associated with the proposed action or alternate pipeline corridor would occur. Additionally, economic benefits of the proposed action would not be realized, and the existing environment, including the developments in place, would remain unchanged.

III. Description of the Affected Environment

A. General Setting:

The proposed buried pipeline is located on federal minerals and surface about 10 miles east/southeast of Lake Arthur, N.M. Historical and present use of the land has been limited to livestock grazing and energy development.

This area is known as the sand country of the Roswell Field Office comprised of very sandy soil and a unique vegetative community referred to as the shinnery oak/tall grass community.

B. Rights of Record:

An inspection of the Master Title Plats and other Bureau records revealed the following title information pertaining to valid existing prior rights on the subject land:

- Oil and gas leases: NM-0115465-A - covers lease actions.
- No federally administered rights-of-way would be affected in the project area.
- No mining claims are recorded within Sec. 25, T. 15 S., R. 27 E., NMPM.

C. Affected Resources:

The following critical resources have been evaluated and are either not present or are not affected by the proposed action or the alternatives in this EA:

Areas of Critical Environmental Concern (ACEC's)
Cultural Resources (06-R-010-A & B)
Farmlands, Prime/Unique
Floodplains
Native American Religious Concerns
Wastes, Hazardous/Solid
Wetlands and Riparian Zones
Wild & Scenic Rivers
Wilderness

1. Air Quality:

The area of the proposed action is considered a Class II air quality area. A Class II area allows moderate amounts air quality degradation. The primary sources of air pollution are dust from blowing wind on disturbed or exposed soils and exhaust emissions from motorized equipment.

2. Soil:

The *Soil Survey of Chaves County, New Mexico, Southern Part (USDA Soil Conservation Service 1980)* was used to describe and analyze impacts to soil from the proposed action. The soil map units represented in the project area are:

Reeves-Holloman association, 0 to 5 percent slopes (R1) For Reeves and Holloman soils runoff is medium and the hazard of water erosion and soil blowing are moderate.

3. Vegetation:

MIXED DESERT SHRUB

This lease is within the mixed desert shrub vegetative community as identified in the Roswell Resource Management Plan/Environmental Impact Statement (RMP/EIS). Appendix 11 of the Draft RMP/EIS describes the Desired Plant Community (DPC) concept and identifies the components of each community. The mixed desert shrub community is primarily made up of desert grasses, shrubs and cacti. The predominant shrub species include creosote (*Larrea tridentata*), mesquite (*Prosopis glandulosa*), tarbush (*Flourensia cernua*), four-wing saltbush (*Atriplex canescens*), little leaf sumac (*Rhus microphylla*), and sage (*Artemesia* spp.). Common cacti encountered are claret cup (*Echinocereus triglochidiatus*), cholla (*Opuntia imbricata*), prickly pear (*Opuntia engelmannia*), and eagle claw (*Echinocactus horizonthalonius*). Forbs include plantain (*Plantago* spp.), globemallow (*Sphaeralcea* spp.), and buckwheat (*Eriogonum* spp.). Grasses include fluffgrass (*Dasyochloa pulchella*), sideoats grama (*Bouteloua curtipendula*), black grama (*Bouteloua eriopoda*), dropseed (*Sporobolus* spp.), and tobosa (*Pleuraphis mutica*).

The Ecological Site Description for the proposed pipeline corridor is [SD-3 Loamy (Southern Desertic Basins, Plains & Mountains)].

4. Invasive & Noxious Weeds:

There are no known populations of invasive or noxious weed species on the proposed buried pipeline corridor.

Infestations of noxious weeds can have a disastrous impact on biodiversity and natural ecosystems. Noxious weeds affect native plant species by out-competing native vegetation for light, water and soil nutrients. Noxious weeds cause estimated losses to producers \$2 to \$3 billion annually. These losses are attributed to: (1) Decreased quality of agricultural products due to high levels of competition from noxious weeds; (2) decreased quantity of agricultural products due to noxious weed infestations; and (3) costs to control and/or prevent the noxious weeds.

Further, noxious weeds can negatively affect livestock and dairy producers by making forage either unpalatable or toxic to livestock, thus decreasing livestock productivity and potentially increasing producers' feed and animal health care costs. Increased costs to operators are eventually borne by consumers.

Noxious weeds also affect recreational uses, and reduce realty values of both the directly influenced and adjacent properties.

Recent federal legislation has been enacted requiring state and county agencies to implement noxious weed control programs. Monies would be made available for these activities from the federal government, generated from the federal tax base. Therefore, all citizens and taxpayers of the United States are directly affected when noxious weed control prevention is not exercised.

5. Ground Water Quality :

State Engineers water listing shows useable water for stock in the Quaternary Alluvium and Artesia Group. Deepest Expected Fresh Water: above 350'. The buried pipeline construction would not affect the groundwater in this area.

6. Wildlife:

Wildlife species utilizing this area for habitat include mule deer, pronghorn antelope, coyote, fox, rabbits, kangaroo rats, pocket gophers, reptilian and amphibian species, as well as a variety of songbirds, dove, quail, and raptors.

There are no known threatened or endangered species of plant or animals within the project area. The list of federal threatened, endangered and candidate species reviewed for this EA can be found in Appendix 11 of the Roswell Approved RMP (AP11-2).

7. Range: The access road and pipeline corridor are located on a BLM grazing allotment #65091 Rat Camp, permitted to DeWayne Pilley, 7826 Oxford Road, Hagerman, NM 88232.

8. Visual Resources:

The proposed action is located within a designated VRM Class IV area. The setting presents a winter gray setting and in warm months, with foliage, a gray to gray-green color pattern.

9. Recreation:

The area around the proposed action site is primarily used by recreational visitors engaged in hunting, caving, off-highway vehicle use, and other recreational activities. Non-recreation visitors include oil and gas industrial workers and ranchers.

10. Cave/Karst:

No surface cave/karst features were observed in the immediate vicinity of the proposed actions. However, the proposed action is located in the *Medium Karst Potential Area*.

11. Minority or Low-income Populations or Communities:

The proposed actions would not affect the minority or low-income populations or communities.

IV. ENVIRONMENTAL IMPACTS

A. Proposed Action Impacts:

The surface disturbance involved in the construction of the buried pipeline would total about 0.3 acre of federal minerals/surface.

1. Air Quality:

Air quality would temporary be impacted with pollution from exhaust emissions, chemical odors, and dust that would be caused by the motorized equipment used to construct the buried pipeline and by the trencher that would be used to construct the trench. Dust dissemination would discontinue upon completion of the construction phase of the buried pipeline. Air pollution from the motorized equipment would discontinue at the completion of the operations. The winds that frequent the southeastern part of New Mexico generally disperse the odors and emissions. The impacts to air quality would be greatly reduced when the construction is completed.

2. Soil:

The construction of the buried pipeline would physically disturb about 0.3 acre of topsoil and would expose the substratum soil. The exposed soil would be susceptible to wind blowing and water erosion. The impact to the soils would be remediated upon reclamation of the pipeline corridor and vegetation re-establishes on the disturbed areas.

3. Vegetation:

The construction of the buried pipeline along side the access road would remove about 0.3 acre of native vegetation. Reclamation of the alongside the access road and within the pipeline corridor would commence immediately following the completion of the pipeline construction. Vegetation impacts would be short-term when the pipeline corridor re-vegetates within a few years, and the reclamation of the pipeline corridor is successful.

4. Invasive & Noxious Weeds:

The construction of the buried pipeline may unintentionally contribute to the establishment and spread of noxious weeds. Noxious weed seed could be carried to and from the project areas by construction equipment, and transport vehicles. The main mechanism for seed dispersion on the pipeline corridor is by equipment and vehicles that were previously used and or driven across or through noxious weed infested areas. The potential for the dissemination of invasive and noxious weed seed may be elevated by the use of construction equipment typically contracted out to companies that may be from other geographic areas in the region. Washing and decontaminating the equipment prior to transporting onto and exiting the construction areas would minimize this impact.

Impacts by noxious weeds will be minimized due to requirements for the company to eradicate the weeds upon discovery. Multiple applications may be required to effectively control the identified populations.

5. Ground Water Quality:

Pipeline construction would not contamination groundwater sources.

6. Wildlife:

Some small wildlife species may be killed and their dens or nests destroyed during construction of the buried pipeline. The construction of the buried pipeline alongside the access road could cause fragmentation of wildlife habitat. The short-term negative impact to wildlife would occur during the construction phase of the operation due to noise and habitat destruction. In general, some wildlife species would become habituated to ongoing disturbances such as vehicle traffic and equipment maintenance. The conditions of approval would alleviate some losses of wildlife species, by burying the pipeline and timing stipulations.

7. Range:

There would be some minor disruption of livestock grazing in the pasture, specifically during the construction phase of the buried pipeline. During the construction of the pipeline vehicular traffic would increase in the area, which may lead to conflicts with livestock.

8. Visual Resources:

Facilities, such as condensate and produced water or oil storage tanks that rise above eight feet, would provide a geometrically strong vertical and horizontal visual contrast in form and line to the characteristic landscape and vegetation, which have flat, horizontal to slightly rolling form and line. The construction of the buried pipeline and other ancillary facilities would slightly modify the existing area visual resources. The proposed action is located in an area designated VRM Class IV.

The objective of Class IV is to: "Provide for management activities which require major modification of the existing landscape character...Every attempt, however, should be made to reduce or eliminate activity impacts through careful location, minimal disturbance, and repeating the basic landscape elements."

Through color manipulation, by painting well facilities to blend with the rolling to flat vegetative and/or landform setting with a gray-green to brownish color, the view is expected to favorably blend with the form, line, color and texture of the existing landscape. The flat color Olive Drab from the supplemental environmental colors also closely approximates the brownish color of the setting. All facilities, including the meter building, would be painted this color.

Cumulative adverse visual impacts can be avoided by gradually moving into a more appropriate vegetative/landform setting color scheme.

9. Recreation:

Oil and gas activities would have little or no affect on the recreation al opportunities in this area. Recreation activities could occur within this area and are limited to access from state or county roads or through state land.

10. Cave/Karst:

There would be no impact to known cave entrances, or karst features within the areas of the proposed actions. The proposed action is located in a low karst potential area. Cave Karst potential within the area is medium.

11. Minority or Low-income Populations or Communities:

The proposed actions would not impact the minority or low-income populations or communities.

B. Alternatives:

1. Relocation Alternative:

The alternative of changing the pipeline route in this action was not analyzed further because no other alternative route would have significantly fewer impacts than, or has a clear advantage over, the proposed pipeline corridor.

2. No Action Alternative:

The no action alternative would constitute denial of the Sundry Notices And Reports On Wells. This alternative would have no consequential results from the identified environmental impacts. There would, however, be an adverse economic impact to the applicant through the denial of the lessee's right to develop the mineral reserves or through increased costs of accessing those mineral

reserves through other means. There have been no significant or unmitigatable impacts identified as a result of this analysis, which would warrant selection of the no action alternative.

C. Mitigation:

The Roswell Field Office; Well Location Map (Exhibit A), BURIED PIPELINE STIPULATIONS FOR THE ROSWELL FIELD OFFICE, BLM (Exhibit B), and the special requirements derived from this EA, would be applied to this proposed action to minimize the surface disturbance and conserve the surrounding landscape.

D. Cumulative Impacts:

While it is likely that there will be no significant cumulative impact from the proposed action, continued oil and gas development, and other surface-disturbing activities in this area, may potentially have negative cumulative impacts on vegetation, soil, water, livestock, wildlife, and visual resources.

V. Consultation and Coordination

When the onsite inspection was conducted on 8/3/05, the potential pipeline corridor alongside the north edge of the access road was addressed and there was no problems in burying the pipeline alongside the road. In attendance were Dewayne Pilley (Rancher/Allottee) and his son John Pilley, and Richard Hill, Environmental Protection Specialist, BLM Roswell Field Office. Even though the operator's agent did not show up for the onsite, coordination and consultation has occurred with the applicant's agent. The comments and suggestions expressed during the onsite consultation have been incorporated into this EA.

Coordination and consultation has occurred with Roswell Field Office's Staff. The comments and suggestions expressed during the analytical review of the proposed action have been incorporated into this Environmental Assessment. Roswell Field Office's Staff at on-site; Joseph Navarro & David Arthun.

Reviewed by:

Irene Gonzales, Realty Specialist

Date



EXHIBIT B

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ROSWELL FIELD OFFICE -BLM

BLM Lease No.: NM-0115465-A

Company Name: Bold Energy, LP

Well Name and Number: Lazarus Federal #1

Location: Section 25, T. 15 S., R. 27 E., NMPM

On Lease Pipeline - Section 25; NW¹/₄NW¹/₄SW¹/₄

BURIED PIPELINE STIPULATIONS FOR THE ROSWELL FIELD OFFICE, BLM.

A. THE APD AND/OR THE SUNDRY NOTICE WAS USED FOR THE ON-LEASE BURIED PIPELINE CONSTRUCTION.

1. The APD and/or Sundry Notice And Report On Wells can act, to the extent possible, as an application for the on-lease construction of the buried pipeline on Federal surface lands. In combination with the approved APD, the following standard terms and conditions are hereby attached to the APD/SN on-lease authorization.

B. The holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer, BLM.

1. The BLM shall administer compliance and monitor construction of the pipeline. Notify Richard G. Hill at least 3 working days (72 Hours) prior to commencing construction of the pipeline. Roswell Field Office number (505) 627-0247.

2. PIPELINE CONSTRUCTION:

A.) The entire length (547.1 feet) of pipeline shall be buried in a trench 36 inches deep and 46 inches deep under all existing access roads.

B.) The 4 inch polyline pipeline shall parallel the new access road on the north side of the road.

C.) The pipeline centerline shall be constructed 25 feet from the centerline of the access road.

D.) The holder shall consult with the Authorized Officer if the depth cannot be accomplished due to rock outcropping, or if the soils are not deep enough.

E.) The operations shall be contained within the perimeters of the archaeological surveyed areas.

3. The holder shall conduct all activities associated with the construction, operation, and removal of the pipeline within the authorized limits of the pipeline corridor, **not to exceed 20 feet**. The holder shall consult with the Authorized Officer prior to utilizing more surface than the allowable limits of the pipeline corridor or for approval of any changes that are made to the pipeline route.
4. Clearing and/or blading of all vegetation shall be allowed. Clearing is defined as the removal of brush while leaving ground vegetation (grasses, weeds, *etc.*) intact. Clearing is best accomplished by holding the blade 4 to 6 inches above the ground surface to reap the vegetation. Blading is defined as the complete removal of brush and ground vegetation. **Where blading and/or clearing is allowed, the maximum surface disturbance width of these operations shall not exceed 20 feet.**
5. **The pipeline shall be buried under all roads. The holder shall bury the pipeline 48 inches deep and 30 feet across all road crossings.** The pipeline shall be buried 48 inches deep in order for the buried pipeline to be covered with a layer of soil 45 inches in depth between the top of the pipeline and the road surface level. The width of maximum disturbance on all roads is **30 feet** and in order to secure that the buried pipeline is protected from maintenance and/or renovation work on the roads, the holder is required to start and end construction of the buried pipeline outside the perimeters of the road width maximum disturbance width.
6. The approval of this APD/SN for pipeline construction does not in any way imply or approve any other on-lease, off-lease, or off-unit action(s). It is the responsibility of the holder to obtain other approval(s) such as rights-of-way from the Roswell Field Office or other agencies, including private surface landowner(s).
7. The holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this authorization.
8. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, *et. seq.*) with regard to any toxic substances that are used, generated by, or stored on the pipeline corridor. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, *etc.*) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.
9. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, *et. seq.* or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, *et. seq.*) on the pipeline corridor (unless the release or threatened release is wholly unrelated to the holder's activity on the pipeline corridor). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.

10. The holder shall minimize disturbance to existing fences and other improvements or facilities on public lands. When necessary to pass through a fence line, the fence will be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer. The holder is required to promptly repair impacted improvements or facilities to at least their former state. The holder shall contact the owner(s) of any improvements or facilities prior to disturbing them.

11. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any gas, or other pollutant should be discharged, impacting Federal lands, the control and total removal, disposal, and cleaning up of such pollutants, wherever found, shall be the responsibility of the holder, regardless of fault. Upon failure of the holder to control, dispose of, or clean up such discharge on, or affecting Federal lands, or to repair all damages to Federal lands resulting therefrom, the Authorized Officer may take such measures as deemed necessary to control and cleanup the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve the holder of any liability or responsibility.

12. Vegetation, soil, and rocks left as a result of the pipeline construction, or maintenance activity will be randomly scattered over the project area and will not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. An earthen berm is approved to be left over the ditch line to allow for the trench settling back to grade.

13. In those areas where erosion control structures are required to stabilize soil conditions, the holder shall install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound management practices. Any earth work not specifically granted by this authorization shall require prior approval by the Authorized Officer.

14. The holder shall seed all surface disturbed by the pipeline construction activities. Seeding is required on the disturbed areas and the seed mixture was determined by the Roswell Field Office for the Desired Plant Community on this pipeline project.

A. Contact Mr. Randy Legler at (505) 627-0215 to witness the seeding operations, two (2) days prior to seeding the disturbed areas.

B. Desired Plant Community seed mixture to be planted in pounds of pure live seed per acre:

Alama silt loam, dry, 0-3% Slope; Hollomex loam, 1-9% slope, dry; Reeves loam, 0-2% slope, dry; Milner loam, 0-2% slope, dry

Loamy, SD-3 Ecological Site - Loamy CP-2 & Gyp Upland CP-2

<u>Common Name and Preferred Variety</u>	<u>Scientific Name</u>	<u>Pounds of Pure Live Seed Per Acre</u>
Blue grama, var. Lovington	(<i>Bouteloua gracilis</i>)	4.00 LBS.
Sideoats grama, var. Vaughn or El Reno	(<i>Bouteloua curtipendula</i>)	1.00 LB.
Sand dropseed	(<i>Sporobolus cryptandrus</i>)	0.50 LB.
Vine mesquite	(<i>Panicum obtusum</i>)	1.00 LB.
Plains bristlegrass	(<i>Setaria macrostachya</i>)	1.00 LB.
Indian blanketflower	(<i>Gaillardia aristata</i>)	0.50 LB.
Desert or Scarlet Globemallow	(<i>Sphaeralcea ambigua</i>) or (<i>S. coccinea</i>)	<u>1.00 LB.</u>
TOTAL POUNDS PURE LIVE SEED PER ACRE		9.00 LBS.

C. If one species is not available, increase ALL others proportionately. The seed mixture shall be certified weed free seed. A minimum of 4 species is required, including 1 forb species.

D. The recommended time to seed is from June 15th through September 15th. The optimum seeding time is in mid-July. Successive seeding should be done either late in the fall (Sept. 15th - Nov. 15th, before freeze up) or early as possible the following spring to take advantage of available ground moisture. However, the holder may seed immediately after completing the surface disturbing activities.

E. The holder shall be responsible for the establishment of vegetation on the pipeline route. Evaluation of vegetation growth will not be made before the completion of the first growing season after seeding. The Authorized Officer reserves the right to require reseeding at a specific time if seed does not germinate after one growing season. Waiver of this requirement would be considered if diligent attempts to revegetate the disturbed areas have failed and the Authorized Officer determines that further attempts to replant the disturbed area are futile.

F. Invasive and Noxious Weeds Requirement:

1. The holder shall be held responsible if noxious weeds become established within the reclaimed areas. Evaluation of the growth of noxious weeds shall be made upon discovery. Weed control will be required on the disturbed land where noxious weeds exist, which includes the road, pad, associated pipeline corridor/routes, and adjacent land affected by the establishment of weeds due to this action. The holder is responsible for consultation with the Authorized Officer for acceptable weed control methods, which include following EPA and BLM requirements and policy.

2. The holder shall insure that the equipment and or vehicles that will be used to reclaim the access roads and well pad are not polluted with invasive and noxious weed seed. Transporting of invasive and noxious weed seed could occur if the equipment and vehicles were previously used in noxious weed infested areas. In order to prevent the spread of noxious weeds, the Authorized Officer shall require that the equipment and vehicles be cleaned with either high pressure water or air prior to reclamation of the access roads and well pad.

15. All above-ground structures (e.g.: meter houses, above ground pipelines, and related appurtenance, etc.) not subject to safety requirements shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be a color which simulates "Standard Environmental Colors" designated by the Rocky Mountain Five-State Interagency Committee. The color selected for this project is **Olive Drab, Supplemental Environmental Colors, Chart Number 18-0622 TPX.**

16. The holder shall post signs designating a pipeline crossing at the following locations: the points of origin and completion, or entry to and exit from public lands, at all road crossings. These signs shall be posted in a permanent, conspicuous manner, and shall be maintained in a legible condition until the pipeline no longer services the well and is removed.

17. The holder shall not use the pipeline corridor as a road except during periodic routine maintenance work as determined necessary by the Authorized Officer. The pipeline corridor shall not be used for any other purposes than for what it was hereby approved. The holder shall consult with the Authorized Officer if the disturbed areas are used for other reasons than for maintenance purposes. The holder shall take whatever steps are necessary to ensure that the pipeline corridor is not used as a roadway.

18. Any cultural and/or paleontological resource (i.e.: historic or prehistoric site or object) discovered by the holder, or any person working on the holder's behalf, on Federal land shall be immediately reported to the Authorized Officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions that shall be taken to prevent the loss of significant cultural or scientific values. The holder shall be responsible for the cost of evaluation of any cultural and/or paleontological resources that are discovered. Any decision as to the proper mitigation measures shall be made by the Authorized Officer after consultation with the holder.

19. The holder is hereby obligated to comply with procedures established in the Native American Graves Protection and Repatriation Act (NAGPRA) to protect such cultural items as human remains, associated funerary objects, sacred objects, and objects of cultural patrimony discovered inadvertently during the course of project implementation. In the event that any of the cultural items listed above are discovered during the course of the project work, the holder shall immediately halt the disturbance and contact the BLM within 24 hours for instructions. The holder or initiator of any project shall be held responsible for protecting, evaluating, reporting, excavating, treating, and disposing of these cultural items according to the procedures established by the BLM in consultation with Indian Tribes. Any unauthorized collection or disturbance of cultural resources may result in a shutdown order by the Authorized Officer.

20. Special Stipulations: NONE